



WARWICKSHIRE ANTI-SOCIAL BEHAVIOUR (ASB) CASE REVIEW PROCEDURE

1. Background

The Anti-social Behaviour, Crime and Policing Act 2014 requires relevant bodies in a local government area to have an Anti-social Behaviour (ASB) Case Review procedure.

In March 2023 the Home Office published revised [guidance on the ASB Case Review](#) along with [statutory guidance on ASB powers](#).

The guidance states the relevant bodies and responsible authorities who undertake Case Reviews are Councils, Police, Integrated Care Boards and Registered Providers of social housing who are co-opted into local arrangements.

Relevant bodies must work together to devise and agree the procedure for the ASB Case Review, and each body must publish details of the procedure, so victims know how to apply.

2. Definitions of Anti-social Behaviour

Anti-social behaviour is defined as per the [Anti-social Behaviour, Crime and Policing Act 2014](#) as:

- (a) conduct that has caused, or is likely to cause, harassment, alarm or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

3. Purpose of the ASB Case Review

The Case Review gives victims of persistent antisocial behaviour reported to any of the main responsible agencies (the Council, Police, registered social landlord) the right to request a multi-agency Case Review where a local threshold is met. It allows the victim's voice to be heard in terms of the impact the anti-social behaviour has had on them.

The Case Review takes a problem solving approach to ongoing anti-social behaviour through sharing information and using the knowledge and expertise of partner organisations.

The Case Review offers a 'safety net' for victims and helps to avoid individuals being passed between agencies without a resolution.

Receiving an ASB Case Review application should not be perceived by agencies as a complaint about their work but as an opportunity to find a solution for the victim(s) of the anti-social behaviour.



4. Who can apply for a Case Review?

A victim of anti-social behaviour or another person acting on behalf of the victim with his or her consent, such as a carer or family member, Member of Parliament, local councillor or other professional. The victim may be an individual, a business or a community group.

Anonymous applications will not be considered as agencies require applicant details to validate incidents referred to in the application. Applicants should be reassured that their details will not be shared with any alleged perpetrators of the anti-social behaviour.

5. ASB Case Review Procedure in Warwickshire

The following procedure details the actions taken in Warwickshire when a victim of anti-social behaviour requests a Case Review.

Each District and Borough Council (D&B) will be the lead agency for their local authority area. The D&Bs will manage the case review procedure for their area and identify a Single Point of Contact (SPOC) who will receive Case Review applications in the first instance. Arrangements must be made to cover the SPOC role in their absence in order to adhere to outlined timescales.

5.1 How to instigate the ASB Case Review

Individuals request a Case Review by completing an online form / downloading a Case Review application form on the website of their local District or Borough Council or by telephoning, or emailing / writing to their local District or Borough Council. See Appendix 1 for details on how applications to each D&B can be made.

The ASB Case Review procedure is not a complaints process and if an individual is unhappy with a service they have received from an agency they should consider making a formal complaint by contacting the organisation directly. If the individual is not satisfied with how that organisation has dealt with their complaint then contact can be made with the Local Authority Ombudsman or the Professional Standards Department of Warwickshire Police. This does not preclude the individual from instigating a Case Review as long as the threshold criteria is met.

5.2 Acknowledging Receipt of the ASB Case Review Application

Within 5 working days of receiving an application the D&B SPOC should acknowledge receipt of the application in writing and explain to the applicant what will happen next.

5.3 ASB Case Review Threshold

The Anti-social Behaviour, Crime and Policing Act 2014 sets a baseline threshold of three qualifying complaints made by the victim in the previous six month period.

The Act sets out what will be considered a 'qualifying complaint' for using the ASB Case Review to prevent someone reporting historical incidents of ASB to use the ASB Case Review. The Act sets out the following standards:

- i. The anti-social behaviour was reported within 1 month of the alleged behaviour taking place; AND
- ii. The application to use the ASB Case Review is made within six months from the date of the first complaint.

The threshold relates to the incidents reported, not whether the agency responded. Where a person makes an application for the ASB Case Review and has made at least the set number of qualifying complaints, the threshold for a review is met and the relevant bodies have a duty to undertake the ASB Case Review. This can be on an open or closed case.

Consideration may be given to accepting applications that do not meet the qualifying criteria. In considering whether the threshold is met in such cases, regard shall be had to:

- the persistence of the anti-social behaviour; and
- the harm or potential harm caused by the anti-social behaviour; and
- the adequacy of the response to the anti-social behaviour.

A case where only two qualifying complaints have been made in the previous six months may be deemed to meet the threshold if the harm caused to the victim causes significant concern and/ or the adequacy of the response was poor.

When deciding whether the threshold is met, agencies should consider the cumulative effect of the incidents and consider the harm or potential harm caused to the victim, rather than rigidly deciding whether each incident reached the level of harassment, alarm, or distress.

The ASB Case Review is specifically designed to deal with anti-social behaviour. However, anti-social behaviour can often be motivated by hate and the relevant bodies may wish to include reports of these incidents as part of their procedures.

Applicants can make a second request for a Case Review if there have been a 'new set' of incidents and each of the incidents are qualifying complaints. A second review has the same purpose identified in section 3.

However if the relevant bodies who attended the previous Case Review Meeting believe the Applicant is being unreasonably persistent the Applicant may be informed in reference to the most appropriate relevant bodies' unreasonably persistent complainants policy.

5.3.1 Risk Assessment

The harm, or potential harm to be caused to the victim is an important consideration in determining whether the threshold is met because the more vulnerable will be less resilient to anti-social behaviour.

Victims vulnerabilities will be risk assessed as part of the decision as to whether the threshold is met and assist in judging an appropriate response.

Where the victim is considered to be particularly vulnerable, the relevant bodies should consider whether additional practical and emotional support can be offered to the victim.

5.3.2 Decision on Whether Threshold Has Been Met

When an anti-social behaviour case review is requested, agencies must decide whether the threshold has been met and communicate this to the applicant. This is a collective decision and not the individual responsibility of the D&B SPOC.

On receipt of an application the D&B SPOC will liaise with relevant bodies to discuss the application and make a collective decision as to whether the threshold is met.

Liaison with relevant agencies could be via a meeting or by phone or email.

5.3.3 Informing Applicant if Threshold Has Been Met

The D&B SPOC informs the applicant if the threshold has been met for a Case Review to be undertaken and explains the next steps. If the threshold has not been met the SPOC sends response letter explaining why.

5.4 ASB Case Review Meeting

If the threshold has been met the Case Review will be undertaken via an appropriate local partnership forum (for example a local problem solving meeting, case management meeting, CSP meeting, or specific Case Review panel meeting). The organisations involved should submit/prepare information for the Case Review which should include the involvement they have had with the victim and the case which will help discussions at the case review meeting. Failure to submit information will be included as part of the review findings.

The Council, Police, registered social landlord and, if relevant, representatives from health services and Youth Offending services share information about the case, consider whether any new relevant information needs to be obtained and review previous actions taken. They agree if further actions can be put in place to resolve the issue. These actions will be developed into an action plan with consideration to how the plan will be monitored.

Victims will be given the opportunity to share information about how the anti-social behaviour has affected them and their household. The victim can attend part of the meeting in person or send an advocate or provide a written/video statement.

If the perpetrator is under 18, Warwickshire Youth Justice Service should be invited to attend. If the victim has health related vulnerabilities a health partner should be involved who may contribute via a written statement or documentation.

The SPOC will provide a formal written response to the applicant, and where further actions are necessary the action plan will be discussed with the applicant/victim.

5.4.1 Timescales

Agencies will endeavour to complete the Case Review and provide a response to the applicant within 6 weeks from acknowledging receipt of the application. However, more complex cases may take longer to complete. Applicants should be kept informed on the expected timescales of their application.

5.4.2 Independence in the Case Review Process

Agencies will consider whether the case review meeting should be chaired by an appropriately trained independent lead. Where most of the agency representatives have been involved in a particular case, consideration will be given to involving somebody independent in the review to provide an external or fresh perspective on the case and the action that has been taken. For example a Community Safety officer from another District or Borough. This is at the discretion of the case review panel and decided on a case by case basis.

6. Appeal

The procedure must include a process for the applicant to appeal if they are dissatisfied with the way in which the Case Review was carried out or with the decision on whether the threshold was met.

In Warwickshire any resident dissatisfied with either of these aspects of the Case Review can make an appeal to the Office of the Police & Crime Commissioner for Warwickshire (OPCC). The appeal should be made in writing within 28 working days of receiving the outcome of the review.

More [details on how to appeal](#) can be found on the Office of the Police and Crime Commissioner for Warwickshire website.

7. Annual Publication of Case Review figures

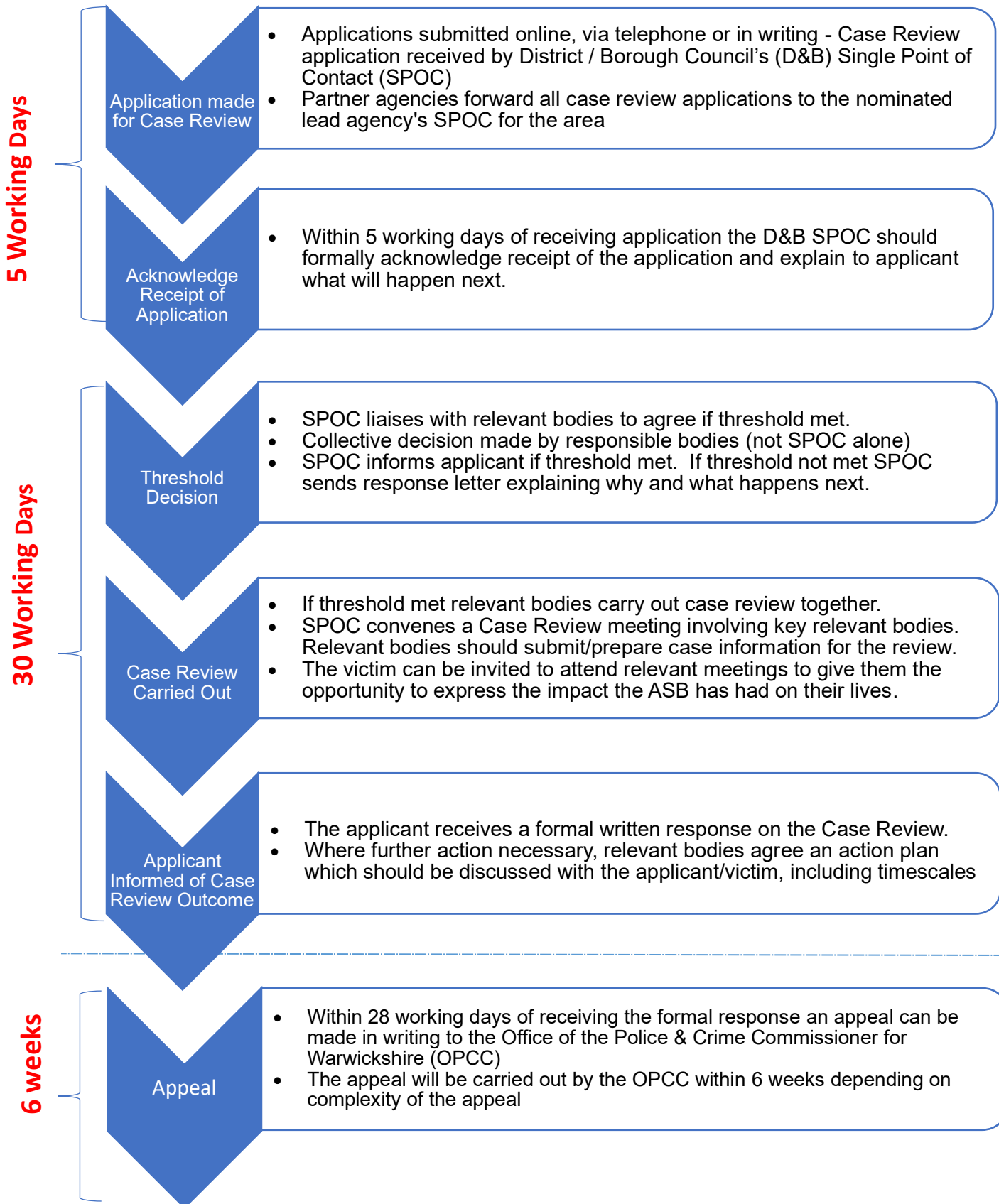
Relevant bodies have a duty to publish specified data on the ASB Case Review at least every twelve months. The following information will be made available on District & Borough Council websites.

- Number of applications received for ASB case review
- Number of times the threshold for review was not met
- Number of ASB case reviews carried out
- Number of ASB case reviews carried out that resulted in recommendations being made

8. Revision of the ASB Case Review Procedures

The Warwickshire procedure will be reviewed on an on-going basis linked to any learning from each case review. As a minimum it will formally be reviewed annually by all relevant partners, including the local PCC who should be consulted when the procedure is reviewed (as stated in the [statutory guidance on ASB Powers](#)).

Warwickshire Anti-Social Behaviour Case Review Procedure





APPENDIX 1 – Details on how to make a Case Review application to each District & Borough Council

- North Warwickshire Borough Council

[Anti Social Behaviour \(ASB\) Case Review | North Warwickshire Community Safety Partnership | North Warwickshire Borough Council \(northwarks.gov.uk\)](#)

- Nuneaton & Bedworth Borough Council

[ASB Case Review | Anti-social behaviour | Nuneaton and Bedworth Borough Council](#)

- Rugby Borough Council

[Anti-social behaviour case reviews - Rugby Borough Council](#)

- Stratford on Avon District Council

[ASB Case Review | Stratford-on-Avon District Council](#)

- Warwick District Council

[Anti-social behaviour - Warwick District Council \(warwickdc.gov.uk\)](#)



Appendix 2 Support Organisations

ASB Help

Provides information and advice for victims experiencing anti-social Behaviour.
<https://asbhelp.co.uk/>

Victim Support

Provides information and advice - <https://www.victimsupport.org.uk/crime-info/types-crime/antisocial-behaviour/>

Victim Support (Warwickshire) - <https://www.victimsupport.org.uk/resources/warwickshire/>

Mediation and Community Support

Provides support with neighbour disputes and community conflicts
<https://www.mediationsupport.org.uk/>

Resolve

Helps organisations to deal with community safety and ASB issues through training, support, guidance and sharing best practice but also has useful information for individuals.

<https://www.resolveuk.org.uk/asb>